

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicants: David Goldman	)	I hereby certify that this paper is
	)	being electronically deposited with
	)	the United States Patent and
Serial No.: 10/806,880	)	Trademark Office on this date:
	)	
	)	
Filed: March 23, 2004	)	<b>December 22, 2008</b>
	)	
	)	
Title: "Automatically Generating	)	
Embroidery designs From a Scanned	)	
Image"	)	<u>/Mark G. Hanley/</u>
	)	Mark G. Hanley
Group Art Unit: 3765	)	Registration No.: 44,736
	)	Attorney for Applicant(s)
	)	
Examiner: Nathan E. Durham	)	
	)	

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is a response to the Non-Final Office Action dated July 31, 2008, issued in connection with the above-referenced patent application, along with a petition for a two-month extension of time.

**1. Small Entity Status**

- ☐ Verified statement(s) claiming small entity status is (are) attached.
- ☒ Small entity status has been established and is still effective.
- ☐ Has not been established.

**2. Fees**

Fee for Claims

- ☒ The fee for additional claims [(37 CFR 1.16(b)-(d)] has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest No. Previously Paid For		Present Extra	Rate	Additional Fee	Rate	Additional Fee
TOTAL	30	MINUS	24	= 6	x26=	\$156.00	x52=	\$0.00
INDEP.	2	MINUS	3	= 0	x110=	\$	x220=	\$0.00
First Presentation of Multiple Dependent Claim					+195=	\$	+390=	\$0.00
<b>TOTAL ADDITIONAL FEE</b>					\$		<b>OR</b>	\$0.00

Extension of Time

- ☒ This is a petition for an extension of time under 37 CFR 1.136 for the total number of months checked below:

EXTENSION (Months)	FEE FOR LARGE ENTITY		FEE FOR SMALL ENTITY	
One Month		\$130.00		\$65.00
Two Months		\$490.00	<b>X</b>	\$245.00
Three Months		\$1,110.00		\$555.00
Four Months		\$1,730.00		\$865.00
Fifth Month		\$2,350.00		\$1,175.00

**If an additional Extension of Time is required, please consider this a petition therefor.**

Extension Fee: \$245.00

An extension for     month(s) has already been secured and the fee paid therefor of \$     is deducted from the total fee due for the total months of extension now requested.

Deduction: \$

**Extension Fee Due With This Request \$245.00**

**3. Method of Payment of Fees**

- ☐ Charge Deposit Account No. 50-2455 in the amount of: \$0.00
- ☒ Electronic Funds Transfer \$ 401.00
- ☐ No Payment Due

**4. Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-2455.

Please refund any overpayment to Hanley, Flight & Zimmerman, LLC at the address below.

Respectfully submitted,

HANLEY, FLIGHT & ZIMMERMAN, LLC  
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By: /Mark G. Hanley/  
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**December 22, 2008**